

LEVI & KORSINSKY, LLP

Adam M. Apton (SBN 316506)

Email: aapton@zlk.com

388 Market Street, Suite 1300

San Francisco, CA 94111

Tel.: 415-373-1671

Fax: 415-484-1294

*Attorneys for Lead Plaintiff Glen Littleton
and Lead Counsel for the Class*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE TESLA, INC. SECURITIES
LITIGATION

No. 18-cv-04865-EMC

Hon. Edward M. Chen

**DECLARATION OF ADAM M. APTON IN
SUPPORT OF LEAD PLAINTIFF'S MOTION
TO CONVERT DEFENDANTS' MOTION TO
DISMISS TO MOTION FOR SUMMARY
JUDGMENT; MOTION TO STRIKE**

Date: March 5, 2020

Time: 1:30 p.m.

Location: Courtroom 5, 17th Floor

Judge: Hon. Edward Chen

Date Action Filed: August 10, 2018

I, Adam M. Apton, hereby declare as follows:

1. I am a partner at the law firm of Levi & Korsinsky, LLP, counsel for Lead Plaintiff Glen Littleton ("Plaintiff"), and a member in good standing of the bar of the State of California. I am licensed to practice before this Court.

2. Attached hereto as Exhibit A is a true and correct copy of the article by Taylor Telford published in *The Washington Post* titled "Elon Musk: Tweet that cost \$20 million was 'worth it'" dated October 29, 2018 and located online at: <https://www.washingtonpost.com/business/2018/10/29/musk-tweet-that-cost-million-was-worth-it/>.

1 I declare under penalty of perjury that the foregoing facts are true and correct. Executed this 27th
2 day of December, 2019.

3
4 /s/ Adam M. Apton
Adam M. Apton
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28